

County of Sonoma In-Home Supportive Services Fraud Prevention Plan

FY 2010-2011

Submitted to:
California Department of Social Services
September 1, 2010

Prepared by:
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A. Sonoma County's Current and Proposed Anti-Fraud Activities

Sonoma County HSD utilizes existing IHSS resources to prevent and identify fraud in the IHSS program. These anti-fraud activities are described below:

- Verify the identity of client – review of client photo identification at QA home visit
- Verify that client understands services and hours authorized
- Discuss available alternate resources with client
- Discuss and verify with client, at QA home visit, how often their provider comes to perform services
- Discuss and verify with client whether their provider is performing all authorized services
- Participate with CDSS on completion of the Death Match Report
- Discuss with client whether they are eligible or receiving third party liability sources (workers' compensation insurance, long term care insurance, civil litigation payments, etc.)
- Review the Provider Working Over 300 + Hour Report
- Review the Out-of-State Warrants Report

Sonoma County used FY 09-10 funding to create an IHSS Program Integrity Unit. The unit consists of one full time dedicated IHSS Special Investigations Unit Welfare Investigator, one full time IHSS Social Worker with a specialized program integrity assignment, and support staff. It is integrated in the Adult and Aging Division at the same location as the IHSS program. Sonoma County has developed and engaged in new anti-fraud activities as described below:

- Participated with CDSS in investigation and completion of Error Rate Study Report(s)
- Participated with CDSS in performing Joint Case Reviews
- Developed and provided educational materials to clients and providers regarding client/provider responsibilities and expectations
- Performed unannounced home visits on reports of suspected fraud
- Reviewed Medi-Cal Data Match reports when provided by CDSS
- Provided instruction and training on new procedures for fraud identification and referral to Adult and Aging staff including: IHSS social work and payroll staff, Public Authority, Adult Protective Services, Multipurpose Senior Services Program and Linkages staff
- Developed new referral form and procedure for suspected fraud
- Established local fraud hotline to receive fraud reports from the public
- Developed and implemented new database for clear monitoring and tracking of all fraud referrals
- Established weekly Program Integrity case conference meetings to discuss active referrals and cases of potential fraud with all Adult and Aging staff

Sonoma County HSD proposes to continue these fraud detection and prevention activities over the next fiscal year.

B. Sonoma County Proposed Budget for Utilization of Funds

The budget, shown below, contains the FY 10-11 costs associated with the Sonoma County IHSS Fraud Plan. The costs are for 12 months of operation.

Key components of the budget include one full time dedicated IHSS Special Investigations Unit Welfare Investigator, one full time IHSS Social Worker with a specialized Program Integrity assignment, and support staff (clerical and supervisory) to continue to build this new unit in Sonoma County.

| FY 10/11 Budget Item | Cost |
|-------------------------------|-------------|
| Personnel | \$345,063 |
| Communications/Office expense | \$21,700 |
| Travel/Subcontracts | \$10,000 |
| Other costs/Indirect | \$10,333 |
| Total Budget | \$387,096 |

C. Collaboration and Partnerships with District Attorney's Office (DAO)

This plan has been shared with the District Attorney. The DA's acknowledgment is included with the report to the Sonoma County Board of Supervisors. The Human Services Department Special Investigations Unit has an existing MOU with the Sonoma County DA for prosecution of welfare fraud cases.

The investigations of welfare fraud cases for Sonoma County are exclusively prepared by the Special Investigations Unit (SIU) and submitted to the DA for prosecution. The DA has a \$1500 recommended threshold for prosecution of welfare fraud cases. Sonoma County has scheduled a collaborative meeting with a representative of the District Attorney's Office since the creation of the Program Integrity Unit. Plans are to continue to schedule meetings on a twice yearly basis, or more often as needed.

D. Fraud Referrals/Outcomes

The Sonoma County IHSS Program Integrity Unit will work with the District Attorney's Office on those cases forwarded for prosecution by the Special Investigations Unit or Department of Health Care Services. Cases are forwarded to the Department of Health Care Services (DHCS) based on the direction from CDSS as stated in ACIN I-04-06 and W&I § 12305.82(a). The DHCS Fraud Investigator conducts the investigations and consults with the District Attorney to prosecute IHSS fraud cases. The collaboration with the DHCS Fraud Investigator has proven to be successful in increasing the number of fraud referrals that are investigated.

The development of the Quality Assurance program in Sonoma County in 2005 has been part of ongoing efforts to mitigate fraud occurrences. Quality Assurance home

visits conducted per the Sonoma County Quality Assurance Plan have noticed clients and providers that the IHSS program has put a priority on verifying IHSS services are being performed timely and with the quality necessary for clients to remain safely in their homes.

Sonoma County's methodology for determining the appropriate agency for referral/investigation is:

1. All reports of suspected fraud will be initially screened and evaluated by the Program Integrity Social Worker for appropriate disposition. If appropriate, the Social Worker will provide education and information to the recipient and providers involved in the case.
2. If the screening and evaluation reveal a credible report of fraud that meets the threshold of intentional misrepresentation, the report will be forwarded to the dedicated IHSS Welfare Fraud Investigator.
3. The IHSS Welfare Fraud Investigator will either investigate the case and/or refer to Department of Health Care Services for follow-up.

E. IHSS Overpayments/Underpayments

Sonoma County Human Services Department will identify and reduce the occurrence of overpayment and fraud by using the 2010-2011 California Department of Social Services (CDSS) funding for fraud investigations to continue an In-Home Supportive Services (IHSS) Program Integrity Unit. The IHSS Program Integrity Unit is responsible for investigating, documenting, and tracking the occurrences and outcomes of IHSS fraud/overpayments. Sonoma County will use the fraud allocation to continue staffing that includes an IHSS Program Social Worker, a full time Special Investigations Unit (SIU) Welfare Investigator dedicated to the IHSS program, and administrative and clerical support.

The IHSS Program Integrity Social Worker uses IHSS program knowledge, social worker assessment skills, and mediation skills to work with IHSS providers, IHSS recipients, and other stakeholders. Because the majority of overpayment/fraud referrals are generated from IHSS social workers, payroll staff and the Public Authority, the IHSS Program Integrity Social Worker enhances the collection of evidence and subsequent investigation. The IHSS Program Integrity Unit identifies overpayment and fraud in the IHSS program and reduces the occurrence of each.

Through implementation of the Program Integrity Unit, IHSS program staff has gained a greater ability to recognize and report potential fraud with increased consistency and frequency. Enhanced instruction, training, and timely investigations by the Program Integrity Unit demonstrate that investigating, resolving and reducing instances of overpayment/fraud are important to the integrity of the IHSS program. When instances of underpayment are identified, corrective action will be taken to remedy the administrative error in a timely manner.

F. Collaboration and Partnership with California Department of Health Care Services (DHCS) and the California Department of Social Services (CDSS)

Sonoma County IHSS and SIU actively work with the designated DHCS Fraud Investigator Joe Anna Snowden to investigate fraud. Sonoma County IHSS looks forward to continuing this collaboration as DHCS receives increased funding for fraud investigations. As questions arise, Sonoma County IHSS will collaborate with CDSS on technical issues related to Program Integrity activities.

On 7/1/10, Sonoma County began using a new database developed exclusively for tracking fraud referrals and Program Integrity Unit activity. This includes tracking of referrals sent to DHCS. This system developed with FY 09-10 funding will provide for the efficient tracking of DHCS referrals as well as evaluation and monitoring of program operations.

The data collected in this database includes:

- Referral/discovery date – Date the incident was discovered
- Date referral sent - Date the referral was sent to investigative agency
- Agency name - DOJ or DHCS (and previously SIU)
- Recipient name
- Provider name
- Person referred - person who committed the alleged fraud (Provider or Client)
- Reported by – reporting party is confidential
- Social worker – IHSS client's social worker name
- Allegation
- Interventions completed by Program Integrity Unit staff
- Fraud amount
- Fraud investigation agency case number
- Status – open, closed, collections, referral to be sent
- Reason of disposition
- Date resolved
- Overpayment amounts recovered
- Comments

G. Mechanisms for Tracking/Reporting

Sonoma County HSD has developed a database to track all Program Integrity Unit activities and outcomes. The outcomes of each fiscal year's efforts will be reported to CDSS to the extent funding is available for such activities. A comprehensive fiscal year plan will be submitted June 1st each year that will include updates as well as an agreement to continue tracking, reporting, and submitting final data by August 1 for each fiscal year. The DPA-266 Fraud Investigation Activity Report may be used.

H. Annual Outcomes Report

Sonoma County HSD will provide an annual outcomes report to CDSS by August 1st of each year to the extent funding is available to Sonoma County.

Enclosure B

COUNTY RESPONSE COVER PAGE
MUST BE FULLY COMPLETED AND SUBMITTED WITH PLAN AND DATA

Sonoma County is requesting participation in the IHSS Fraud Prevention Program and will submit a Plan and data as described above, by September 1, 2010.

Board of Supervisors Approval

Approved on _____, 2010, by the County Board of Supervisors

Name of Approver: _____ Title: _____

Signature _____

Board of Supervisors

Name of Representative: _____ Title: _____

Telephone #: _____

Email Address: _____

County Welfare Department

Name of Representative: _____ Title: _____

Telephone #: _____

Email Address: _____

County District Attorney Office

Name of Representative: _____ Title: _____

Telephone #: _____

Email Address: _____

Enclosure D

County: **SONOMA**

| Fraud/Overpayments identified by County QA | | 09/10 | 10/11 | 11/12 | 12/13 | 13/14 |
|--|---------------|-----------------------|-------|-------|-------|-------|
| Total Amount per Fiscal Year: | | \$81,811 ¹ | | | | |
| Number of Instances: | | 170 ² | | | | |
| Breakdown of Causes | Provider: | 140 | | | | |
| | Recipient: | 35 | | | | |
| | County Error: | 0 | | | | |
| | Unknown: | 3 | | | | |
| | Other (Both): | 4 | | | | |

| Underpayments identified by County QA | | 09/10 | 10/11 | 11/12 | 12/13 | 13/14 |
|---------------------------------------|---------------|-------|-------|-------|-------|-------|
| Total Amount per Fiscal Year: | | 0 | | | | |
| Number of Instances: | | 0 | | | | |
| Breakdown of Causes | Provider: | 0 | | | | |
| | Recipient: | 0 | | | | |
| | County Error: | 0 | | | | |
| | Unknown: | 0 | | | | |
| | Other: | 0 | | | | |

| Fraud Referrals/Outcomes | | 09/10 | 10/11 | 11/12 | 12/13 | 13/14 |
|--|---------------|-------|-------|-------|-------|-------|
| Number of referrals to DHCS: | | 20 | | | | |
| Number Handled locally by DA: | | 0 | | | | |
| Number of convictions: | | 0 | | | | |
| Court Ordered Restitution: | | 0 | | | | |
| Amount of funds involved in the convictions: | | 0 | | | | |
| Amount of funds recovered: | | 0 | | | | |
| Amount of funds pending recovery | | 0 | | | | |
| Basis for the conviction: | | 0 | | | | |
| Individuals Responsible | Recipient: | 8 | | | | |
| | Provider: | 13 | | | | |
| | County Staff: | 0 | | | | |
| | Other: | 1 | | | | |
| | Unknown: | 0 | | | | |

¹ Three overpayments totaling \$67,109 are included in this number.

² The Program Integrity Social Worker received 170 complaints during the fiscal year. Only 20 of these resulted in fraud referrals to DHCS. The remainder of the complaints was either overpayments or disputes that were resolved with the assistance of the Program Integrity Social Worker.

Enclosure D
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| Utilization of County DA for Fraud | | 09/10 | 10/11 | 11/12 | 12/13 | 13/14 |
|------------------------------------|--------------------------------|-------|-------|-------|-------|-------|
| Outcomes | Documented referrals to DA: | 0 | | | | |
| | Accepted: | | | | | |
| | Rejected: | | | | | |
| | Pending: | | | | | |
| | Completed Investigation | | | | | |
| | No Fraud | | | | | |
| | Restitution Action | | | | | |
| | Referred for Prosecution | | | | | |
| | Criminal Charges Filed | | | | | |
| | No Charged filed: | | | | | |
| | Convictions: | | | | | |
| | Acquittals | | | | | |
| | Dismissals: | | | | | |
| | Pending Investigation | | | | | |
| | Restitution | | | | | |
| | Court Ordered: | | | | | |
| | Restitution Action: | | | | | |
| | Fines | | | | | |
| | Prosecutions Completed | | | | | |
| | Convictions | | | | | |
| | Misdemeanor | | | | | |
| | Felony | | | | | |

³Sonoma County IHSS has initiated contact with the DA's office in order to begin tracking referrals from both SIU and DHCS to the DA.

Enclosure E

| Budget Section | Total |
|---|-------------------|
| A. Personnel Costs (includes employee benefits) | \$345,063 |
| B. Operating Expenses | \$21,700 |
| C. Equipment Expenses | \$0 |
| D. Travel/Per Diem and Training | \$5,000 |
| E. Subcontracts and Consultants | \$5,000 |
| F. Other Costs | \$5,000 |
| G. Indirect Expenses | \$ 5,333 |
| Total Expenses | \$ 387,096 |

Budget Justification Sonoma County's Fraud Funding Plan for FY 2010-11

| A. Personnel Costs (including employee benefits) | Total Budget |
|---|------------------|
| Title: Welfare Investigator-Adv Post Salary Calculation: \$107,130 Duties Description: Investigate reports of fraud in IHSS | \$107,130 |
| Title: Social Worker IV Salary Calculation: \$124,419 Duties Description: Screen fraud reports, education/awareness and prevention around fraud | \$166,378 |
| Title: Sr Office Assistant (12 months) Salary Calculation: \$41,929 Duties Description: Clerical support in developing process, forms, and policies. Research timesheets, filing, etc. | \$41,929 |
| Title: Fiscal Support Salary Calculation: \$8,984 Duties Description: budgets, purchases, tracking | \$ 8,984 |
| Title: Soc Srv Supv II Salary Calculation: \$20,642 Duties Description: Provide supervision to Social Worker IV | \$ 20,642 |
| Total Personnel Costs: | \$345,063 |

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| B. Operating Expenses | Total Budget |
|---|---------------------|
| Title: Rent Description: Rent | \$ 18,000 |
| Title: Communications Description: Desk phones/cell phones | \$ 1,200 |
| Title: Office Supplies Description: | \$ 2,500 |
| Total Operating Expenses: | \$ 21,700 |

| C. Equipment Expenses | Total Budget |
|----------------------------------|---------------------|
| Title: Description: | \$ |
| Title: Description: | \$ |
| Title: Description: | \$ |
| Total Equipment Expenses: | \$0 |

| D. Travel/Per Diem and Training | Total Budget |
|--|---------------------|
| Title: Travel for Training, etc. Description: | \$5,000 |
| Title: Description: | \$ |
| Title: Description: | \$ |
| Total Travel/Per Diem and Training: | \$5000 |

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| E. Subcontracts and Consultants | Total Budget |
|---|---------------------|
| Title: Refined Technologies, Inc. Description: | \$5,000 |
| Title: Description: | \$ |
| Title: Description: | \$ |
| Total Subcontracts and Consultants: | \$5,000 |

| F. Other Costs | Total Budget |
|--|---------------------|
| Title: Car Description: Maintenance of dedicated vehicle for home visits and investigation of fraud reports | \$ 5,000 |
| Title: Description: | \$ |
| Title: Description: | \$ |
| Title: Description: | \$ |
| Title: Description: | \$ |
| Total Other Costs: | \$ 5,000 |

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| G. Indirect Expenses | Total Budget |
|--|---------------------|
| Title: Indirect expenses Description: | \$ 5,333 |
| Title: Description: | \$ |
| Total Other Costs: | \$ 5,333 |